



Express Mail Label No. EV 336 041 380 US

Attorney Docket No. 37167-8043.US00 (13724-853)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RE APPLICATION OF: Morris et al.

SERIAL NO.: 09/938,276

FILED: August 22, 2001

FOR: TISSUE SURFACE TREATMENT APPARATUS AND METHOD

EXAMINER: Rollins, R.

ART UNIT: 3739

CONFIRMATION NO. 1933

**Notice of Appeal and Petition for Extension of Time (if Appropriate)**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals from the decision of the Examiner dated July 14, 2004, rejecting claims 1-20. The items checked below are appropriate:

☒ Fee for Notice of Appeal (37 CFR §1.17(b))

☒ Small Entity: \$165.00

☐ Petition for Extension of Time. Applicant hereby petitions for a \*-Month Extension of Time, to extend the period for response to \*.

Extension Fee (37 CFR §1.17(a)(1)-(a)(5)):

☐ Other Than Small Entity:

☐ \$110.00    ☐ \$410.00    ☐ \$930.00    ☐ \$1450.00    ☐ \$1970.00

☐ Small Entity:

☐ \$55.00    ☐ \$205.00    ☐ \$465.00    ☐ \$725.00    ☐ \$985.00

☒ Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of this Notice of Appeal.

☒ Fee Payment

☒ Enclosed is a check in the amount of \$165.00 covering the fee due.

☒ Please charge any underpayment or credit any overpayment in fees for timely filing of this paper to Deposit Account No. 50-2207.

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165.00 OP

Date: Sept. 14, 2004

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4410

Respectfully submitted,  
Perkins Coie LLP

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Registration No. 48,390